

BEFORE THE PUBLIC DISCLOSURE COMMISSION

AD HOC MERCHANTS COMMITTEE
DOUG SCHURMAN, TREASURER
801 6TH STREET
CLARKSTRON WA 99403

In Re the Matter of)	PDC Case No. 02-270
Ad Hoc Merchants Committee)	Findings of Fact,
Doug Schurman, Treasurer)	Conclusions of Law and
Respondent.)	Order Imposing Fine
)	

A brief enforcement hearing was held October 2, 2002 in Room 206, Evergreen Plaza Building, Olympia, Washington to consider the Respondent's apparent failure to timely file a Political Committee Registration, PDC Form C-1pc, a violation of RCW 42.17.040 and the Respondent's apparent failure to provide for public inspection of campaign records during the eight days prior to the 2001 general election, a violation of RCW 42.17.080.

The hearing was held in accordance with chapters 34.05 and 42.17 RCW and chapter 390-37 WAC. Commission Chair Mike Connelly was the Presiding Officer. The Commission staff was represented by Phil Stutzman, Director of Compliance. Doug Schurman participated by telephone and addressed the Presiding Officer.

Brief enforcement hearing notice was sent to the Respondent on September 20, 2002. Having considered the evidence, the Presiding Officer finds as follows:

FINDINGS OF FACT

1. The Respondent, Ad Hoc Merchants Committee, Doug Schurman, Treasurer, is comprised of eleven Clarkston, Washington business owners who each contributed \$100 to pay for political advertising which opposed a City of Clarkston November 2001 sales tax levy.
2. The Respondent organized within three weeks of the 2001 general election, had an expectation of receiving contributions and making expenditures, and failed to file a Political Committee Registration, PDC Form C-1pc, within three business days after its organization or when it first had the expectation of receiving contributions or making expenditures in the election campaign.

3. The Respondent filed a C-1pc on May 16, 2002, more than six months after the 2001 general election. The Respondent's post-election registration prevented public inspection of its campaign records during the eight days before the 2001 general election.

CONCLUSIONS OF LAW

Based on the above facts, as a matter of law, the Presiding Officer concluded as follows:

1. This matter was duly and properly convened and all jurisdictional, substantive and procedural requirements have been satisfied.
2. The Respondent violated RCW 42.17.040 by failing to timely file the Political Committee Registration due within three business days of the committee's organization or when it first had the expectation of receiving contributions or making expenditures in the 2001 election campaign.
3. The Respondent violated RCW 42.17.080 by failing to allow for public inspection of the committee's campaign records during the eight days before the 2001 general election.

ORDER

ON the basis of the foregoing Findings of Fact and Conclusions of Law,

IT IS HEREBY ORDERED that the Respondent is assessed a civil penalty of \$250.

This is an initial order of the Public Disclosure Commission. The Respondent may request a review of this Order by the entire Commission. The request may be made orally or in writing, and must be received at the Public Disclosure Commission's office within 21 days after service of this Order. If the Respondent requests a review no penalty need be paid until after the Commission rules on the request.

IF NO REQUEST FOR REVIEW IS RECEIVED WITHIN 21 DAYS, THIS ORDER WILL AUTOMATICALLY BECOME A FINAL ORDER OF THE COMMISSION, AND THE RESPONDENT WILL BE LEGALLY OBLIGATED TO PAY THE PENALTY PURSUANT TO RCW 42.17.395, UNLESS AN APPEAL IS MADE PURSUANT TO RCW 42.17.395.

Entered this 11th day of October, 2002.

Public Disclosure Commission

/s/

Vicki Rippie
Executive Director

Findings, Conclusions and Order

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